## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK DALE FONTROY, et al., CIVIL ACTION

**Plaintiffs** 

v.

JEFFREY A. BEARD, et al.,

Defendants NO. 02-CV-2949

## NOTICE OF APPEAL

Notice is hereby given that Jeffrey A. Beard, David DiGuglielmo, and Kim Ulisny, defendants in the above named case, hereby appeal to the United States Court of Appeals for the Third Circuit from the order, injunction, and final judgment entered in this action on May 3, 2007 and the order denying Defendants' Motion to Amend Judgment entered May 8, 2007.

> THOMAS W. CORBETT, JR. Attorney General of Pennsylvania

By: s/John O. J. Shellenberger

John O. J. Shellenberger Chief Deputy Attorney General Attorney I.D. No. 09714 **Attorney for Defendants** 

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## CERTIFICATE OF SERVICE

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I, John O. J. Shellenberger, hereby certify that Defendants' Notice of Appeal has been filed electronically and is available for viewing and downloading from the Court's Electronic Case Filing System. I further certify that a true and correct copy of Defendants' Notice of Appeal was mailed on May 10, 2007, by first class mail, postage prepaid to:

Derrick Dale Fontroy, AY-7513 State Correctional Institution at Fayette 50 Overlook Drive LaBelle, PA 15450-1050

Theodore B. Savage, CB-2674 State Correctional Institution at Cresson Drawer A, Old Route 22 Cresson, PA 16699-0001

Aaron Christopher Wheeler, BZ-2590 State Correctional Institution at Graterford P.O. Box 244 Graterford, PA 19426-0244

s/ John O. J. Shellenberger

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